IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 858 of 2007 (S/S)

Kamal kumar
S/o Shri Narayan Ram
R/o Takana Khet
P.O. Shivalaya
Tehsil, District Pithoragarh.

…….. Petitioner

Versus

1. State of Uttarakhand
through the Secretary, Basic Education,
Government of Uttarakhand, Dehradun.
2. Director
School Education,
Uttarakhand, Dehradun.

…….. Respondents

Ms. Shruti Joshi, Advocate for the petitioners.
Mr. H.M. Raturi, Standing Counsel for the respondents.

Hon'ble. Prafulla C. Pant, J.

Heard Ms. Shruti Joshi, learned counsel for the petitioner, Mr. H.M. Raturi, learned Standing Counsel for the State appearing for the respondents.

2) By means of this writ petition, the petitioner has sought writ in the nature of mandamus commanding the respondents to consider the candidature of the petitioner for the Special B.T.C. training Course and that the candidature of the petitioner may not be rejected only on the ground that on the date of publication of advertisement for admission to Special B.T.C. his result was shown in the E.C. list.

3) Learned counsel for the petitioner submitted that similarly situated petitioners to the present petitioner, who filed Writ Petition No. 942 (S/S) of 2007, Writ Petition No. 943 (S/S) of 2007, Writ Petition No. 949 (S/S) of 2007, Writ Petition No. 954 (S/S) of 2007 and writ Petition No. 1099 (S/S) of 2007, the candidature of the petitioners has been considered by the Deputy Director (Education), Uttarakhand, for their admission in the Special B.T.C. training course. She has referred to order passed by the Deputy Director (Education), School Education, Uttarakhand vide his letter No. Vee. Pra/ 10/D(Diet)/ 28014 – 68/2007-08 dated 30th August 2007, in the matter. (Copy Annexure -2 to the supplementary affidavit filed by the petitioner).

4) Having heard learned counsel for the parties and after perusing the papers on record, it is directed that if the petitioner is similarly situated to the petitioners of aforesaid writ petitions, fulfilling all the conditions, then his case may also be considered on the same lines by the authorities concerned.

5) Accordingly, this writ petition is disposed of summarily with the direction to the Deputy Director (Education), Vidyalayi Shiksha, Uttarakhand, to consider the representation of the petitioner, if any, made by him, within a week from today, and decide the same within a period of one month from the date certified copy of this order is produced before said authority.

(Misc. Application No. 2618 of 2007 as well as Interim Relief Application both stand disposed of, accordingly).

(Prafulla C. Pant, J.)

Dated. September 14. 2007.
H.Negi